

Judge, 'Chicago 8' Lawyer Clash on Courtroom Guards

From News Dispatches

CHICAGO, Oct. 16—The defense in the Chicago riot conspiracy trial complained today that the courtroom has "the appearance of an armed camp." U.S. Attorney Thomas A. Foran in turn accused the defendants and their attorneys of playing daily games to get newspaper attention.

Defense attorney William Kunstler interrupted his cross-examination of Dwayne Oklepek, a onetime undercover reporter for Chicago's American (now called Chicago Today), to question the removal of three Negroes from the spectators' section in the U.S. district Court.

Judge Julius J. Hoffman ordered the jury ushered out of the room and a marshal explained he had the three blacks taken out because they were talking and waving their hands.

Kunstler then objected to the fact that six marshals were standing guard over the trial.

"This gives it the appearance of an armed camp and the Supreme Court has ruled a court should not have the appearance of an armed camp," he said. He added, "It could be a basis of possible appeal."

Hoffman told Kunstler, "For your information, we always have the same number of marshals." Kunstler retorted, "I dispute that."

Kunstler said the presence of a large number of marshals could give the jury the impression that the defendants are dangerous.

"Are you anticipating a conviction?" Judge Hoffman asked.

"Yes, I am," Kunstler an-

he was impressed with efforts to get march permits and to conduct legal demonstrations.

Oklepek also testified under cross-examination that at a pre-convention meeting of demonstration strategists, defendant Rennie Davis objected to a march route to the International Amphitheatre

through a largely white neighborhood. Oklepek said Davis said he feared the residents were likely to "cause a riot."

Similarly, Oklepek said, Davis objected to a proposed route through a Negro neighborhood because of "reports we had that the black community might be excited to riot."

swered. A moment later he altered his response, saying: "I have to be prepared for a conviction, put it that way."

A few minutes later Judge Hoffman complained about the defendants laughing during the trial.

"All I get is laughs," the judge told Kunstler. "They sit there and laugh at a judge of the highest trial court in the United States. I suppose you think that's proper."

Kunstler objected and said that sometimes funny things happen and the judge shouldn't think the laughter is directed at him.

The morning's testimony was taken up with cross-examination of Oklepek, who infiltrated protest groups before the 1968 Democratic convention.

Wednesday, Oklepek testified that he heard some of the defendants recommend rioting and creating turmoil in downtown Chicago under certain conditions.

Today the defense brought out in cross-examination that Oklepek never saw any of the demonstration marshals with any kind of a weapon and that